D.B. CIVIL MISC. RESTORATION APPLICATION NO.260/2006
IN
D.B. CIVIL WRIT PETITION NO.8194/2005

Villagers of village Aarnetha
Vs.
State of Rajasthan & Anr.

DATE OF ORDER :: 07-03-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri Arvind Bhardwaj, for the petitioners.

By this application, the petitioners seek restoration of D.B. Civil Writ Petition no.8194/2005 which was dismissed in default of appearance. We looked into prima facie merit of the case so that restoration may not be a futile exercise, and accordingly heard the counsel.

The writ petition has been filed on behalf of the residents of village Aarnetha within Keshoraipatan tehsil of district Bundi on the strength of resolution said to have been taken by the villagers at large seeking direction for supply of 3 phase round-the-clock electric supply to the village. Counsel for the petitioners submitted that though it may not be possible to ensure supply of electricity for 24 hours, electricity is being supplied to other villages round-the-clock which amounts to discrimination and direction may be issued to the respondents to supply electricity on uniform basis.

Counsel submitted that policy may be formulated and direction may be issued to that effect.

Supply of electricity depends on several factors and its duration cannot be subject matter of judicial scrutiny. If the Court accedes to the request of the petitioners, it would result in a difficult situation, and the Court may be flooded with writ petitions seeking similar direction for round-the-clock supply of electricity. If village Aarnetha is to be supplied electricity at par with particular village(s), why similar order may not be passed in respect of other villages. Generation, supply and distribution of electricity involve technical considerations and it would not be possible for the Court to monitor the same and issue directions.

We are thus satisfied that restoration will not serve any useful purpose. The application stands dismissed.

[MOHAMMAD RAFIQ],J. **[S.N.JHA],CJ.**

Praveen